



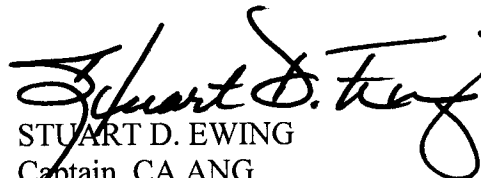
**HUMAN RESOURCES OFFICE
TECHNICIAN / AGR ADMINISTRATIVE INSTRUCTION**

Number: 05-30

13 June 2005

Fiscal Year 05 Aviator Continuation Pay for Air National Guard Active Guard/Reserve Pilots

1. National Guard Bureau has published their guidance (attached) for the Aviator Continuation Pay (ACP) program for Air National Guard Active Guard/Reserve Pilots. Please read all of the attached information carefully as the FY05 ACP program has changed dramatically.
2. Each Wing ACP Coordinator must submit a report at the end of each quarter (Suspense: 30 September 2005) to the Directorate for Human Resources Attn: CARSD-J1-HR-AGR-Air. Negative replies are required.
3. A copy of each approved/disapproved ACP contract must be provided by the Wing ACP Coordinator to the Directorate for Human Resources Attn: CARSD-J1-HR-AGR-Air.
4. Questions or appeals of wing level disapprovals must also be forwarded through the chain of command to the Directorate for Human Resources. Individuals are not authorized to contact DFAS or ANG/DP directly.
5. Direct questions concerning this program to SSgt Regina Santos at DSN 466-3355 or (916) 854-3355.


STUART D. EWING
Captain, CA ANG
Deputy Human Resources Officer

Enclosure
ANG/DP Memorandum, 2 Jun 2005

DISTRIBUTION:
Air: TA



DEPARTMENTS OF THE ARMY AND THE AIR FORCE
NATIONAL GUARD BUREAU
1411 JEFFERSON DAVIS HIGHWAY
ARLINGTON, VA 22202-3231

MEMORANDUM FOR SEE DISTRIBUTION

JUN 02 2005

FROM: ANG/DP
1411 Jefferson Davis Highway
Arlington, VA 22202-3231

SUBJECT: Fiscal Year 05 Aviator Continuation Pay for Air National Guard Active
Guard/Reserve Pilots and Air Battle Managers.

Under authority of the National Defense Authorization Act, this memorandum announces implementation of the FY05 Air National Guard Aviator Continuation Pay (ACP) Program for Air National Guard (ANG) pilots and air battle managers (ABMs) serving in either Title 32 Active Guard/Reserve or Title 10 Statutory tour programs. This memorandum serves as the authority to offer ACP agreements in FY05 to those pilots and Air Battle Managers meeting the attached eligibility criteria.

The FY05 ACP program has changed dramatically. Please ensure your wing commanders and ACP coordinators are aware of all the changes. Attached is a document detailing the routing process of the new program. Three areas need highlighted. First, commanders need to carefully advise the member of the service commitment involved and the ramifications if the member defaults on the contract. Second, although TAGs continue to have the ability to manage their rated force, the service and monetary commitment incurred by the service member can only be waived by the Director of Personnel and Training (ANG/DP). Commanders must take this into account when looking at future force management. Third, members must go through their local chain of command and ACP coordinators for agreements or questions. They are not authorized to contact DFAS or ANG/DP directly.

ANG/DP is the staff agency responsible for the implementation of this policy. The point of contact for this issue is Lieutenant Colonel Kent Barker, ANG/DPDF, commercial (703) 607-0950, DSN 327-0950, or email barry.barker@ngb.ang.af.mil.

EDWIN A. VINCENT, JR.
Colonel, USAF
Director of Personnel and Training

Attachments:

1. FY05 Routing Procedures Information Sheet
2. ANG FY 05 ACP Implementation Guidelines

ANG FY05 ACP Routing Guidelines

1. Unit ACP coordinators identify members who are eligible for ACP.
2. Unit ACP coordinators inform the unit commander of any eligible member.
3. Unit commanders counsel eligible member on the service and monetary commitments and advise the member of their responsibility. Emphasize commitments can only be waived by ANG/DP (not TAG) and the monetary recoupment policies according to the ACP program if member defaults on contract.
4. Eligible member signs contract and returns contract to ACP coordinator.
5. ACP coordinator reviews contract and obtains wing commander signature.
6. ACP coordinator confirms again with unit HARM and FM that member is entitled to and receiving ACIP at the time of agreement signing.
7. If member is not currently receiving ACIP but is eligible, ACP coordinator request the aeronautical order (AO) from the unit HARM and forwards to the unit FM requesting to start ACIP with a 1201.
8. Once the unit ACP coordinator has a signed contract, confirms member is eligible for and receiving ACIP (ACIP/FID 12), determined the contract is valid, and the termination date of the agreement does not pay past current tour end date, the coordinator sends to ANG/DPDF via the case management system (CMS) (Guard Hqs ACP ANG/DPDF). Include member's completed original ACP agreements, aeronautical order, spreadsheet with required information, and confirmation member is receiving ACIP.
 - 8.a. Include in the CMS a scanned copy of the contract, scanned validation of member receiving ACIP, and the attached spreadsheet.
9. ANG/DPDF will coordinate on the CMS, review the ACP agreement and forward to DFAS for processing or return to unit for correction whichever is appropriate.
10. ANG/DPDF will send CMS forward to DFAS to implement into the members pay record.
11. DFAS will close the CMS once input to the pay record is complete.
12. Individual members are not to contact DFAS or ANG/DPDF. This will only delay actions on ACP contracts.

***Air National Guard
Fiscal Year 2005 Aviator Continuation Pay (ACP)
Implementation Policy***

RESPONSIBILITIES

1.1 NGB/CF. Proponent for the ACP program delegated by the Secretary of the Air Force. Serves as approval/disapproval authority for statutory tour aviators eligible for this program.

1.2 ANG/DP. ANG/DP has overall responsibility for implementing the ACP program.

1.2.1 Distribute guidance concerning eligibility and ACP information to states.

1.2.2 Coordinate and monitor program implementation and actions.

1.2.3 Maintain program source documents for complete program history.

*1.2.4 Receive and review all contracts and spread sheets from states for AGR contracts.

*1.2.5 Forward all state AGR contracts to DFAS-DE for processing and payment.

1.2.6 Provide ANG/FMA with the projected number of participants and required dollars on a quarterly basis.

1.3 ANG State Headquarters.

1.3.1 TAGs retain their current authority to manage their pilot and ABM forces. Entitlement to ACP does not guarantee extension or renewal of AGR orders.

1.3.2 Ensure fair and equitable application of the policies for ACP.

1.3.3 Monitor state program implementation.

1.3.4 Approval/disapproval authority for ACP agreements for wing commanders or equivalent.

1.3.5 Publish AGR orders.

1.3.6 Process reconsideration actions to the Adjutant General for a decision.

1.3.7 Forward quarterly reports from each MPF to ANG/DP.

1.4 Wing Commander (or Equivalent) Responsibilities.

1.4.1 Commanders retain their current authority to manage their pilot and ABM forces.

Entitlement to ACP does not guarantee extension or renewal of AGR tours.

1.4.2 Approval/disapproval authority for ACP agreement requests below wing commander or equivalent.

1.4.3 Make certain that an approval or disapproval is in the best interest of the ANG.

1.4.4 Designate an ACP Coordinator within the Military Personnel Flight and provide their contact information to ANG/DPDF, ANG.FlyingTraining@ngb.af.mil NLT 30 June 2005.

1.4.5 Counsel each eligible aviator on the program's details, including that acceptance of the aviator continuation pay obligates the member to serve on active duty for the full period stated in the agreement, and that the individual will not be allowed to pursue other employment that will conflict with their commitment until their contract is fulfilled.

1.5 ANG/OM. The Office of Organizational Management will designate an ACP Coordinator for statutory tour members.

1.5.1 NGB/CF retains their current authority to manage the pilot and ABM forces. Entitlement to ACP does not guarantee extension or renewal of a Title 10 statutory tour.

*1.5.2 Forward a quarterly report (see Attachment 3) for statutory tour members directly to ANG/DPDF, ANG/DPDF@ngb.ang.af.mil.

1.6 The Wing ACP Coordinator.

1.6.1 Develop and maintain eligibility rosters (see Attachment 3).

1.6.2 Ensure each eligible aviator reviews this memorandum before counseling.

1.6.3 Counsel each eligible aviator on the program's details, including: pay amounts, the new AGR/statutory tour service commitment associated with accepting ACP, and the ACP effective date. (Ensure each individual understands that acceptance of ACP obligates the member to serve on active duty for the full period stated in the agreement).

1.6.4 Recommend approval or disapproval to the approving authority.

1.6.4.1 Notify the aviator of the approval or disapproval pending final review by ANG/DPDF.

1.6.4.2 Complete the formal agreement for those approved.

1.6.4.3 For disapproved applications, inform the aviator that he/she may submit a request for reconsideration. See disapproval procedures in para 2.4.

1.6.4.3.1 For AGR members, submit requests for reconsideration through the wing commander to The Adjutant General for a final decision.

1.6.4.3.2 For statutory tour members, submit requests for reconsideration to NGB/CF for final decision.

1.6.5 Forward completed original ACP agreements to ANG/DPDF via CMS (Guard Hqs ACP (ANG/DPDF). Include members aeronautical order, spreadsheet with required information and confirmation member is receiving ACIP. Prior to the unit sending the CMS case to ANG/DPDF, they must ensure the member has an active pay account, they are currently receiving Flight Pay (ACIP/FID 12), and the termination date of the agreement does not pay past current tour end date.

1.6.6 Review records of ACP recipients prior to future payments to ensure continued eligibility.

*1.6.7 Forward a quarterly report (see Attachment 3) through the ANG State Headquarters to ANG/DPDF, ANG/DPDF@ngb.ang.af.mil.

*1.6.8 Provide a spreadsheet of new eligible members, with a certification statement that the members identified within are indeed entitled to ACP, to ANG/DPDF.

*1.6.9 Notify DFAS-DE when the member is no longer entitled.

1.7 Individual Aviator.

1.7.1 NGB/CF (for statutory tour members), The Adjutant General and commanders retain the authority to manage pilot and ABM forces. The aviator's entitlement to request ACP does not guarantee approval.

1.7.2 Review these instructions before scheduling counseling with your ACP Coordinator.

1.7.2.1 If you are incorrectly identified for ACP, notify your ACP Coordinator and have them correct the error.

1.7.2.2 If you believe you are eligible for ACP but have not been identified, notify your ACP Coordinator in writing.

1.7.3 Notify your ACP Coordinator when you decide to accept or decline ACP. **NOTE:** If you accept ACP after your eligibility date, the date you request ACP is the effective date.

1.7.4 To accept ACP:

1.7.4.1 Sign and date the completed ACP agreement (Attachment 2) after counseling from the ACP Coordinator and in his/her presence.

1.7.4.2 Keep a copy of the signed agreement for your records.

1.7.5 If approved, and if your current AGR/statutory tour orders have a termination date earlier than the new service commitment established by this agreement, you must request to renew your AGR/statutory tour orders to fulfill your ACP agreement service commitment. Follow local procedures for tour extension, if appropriate.

1.7.6 If your ACP application is disapproved, you may request reconsideration within 10 duty days after you receive the ACP disapproval notification.

1.7.6.1 For AGR members, the Adjutant General will make the final decision on any request for reconsideration.

1.7.6.2 For statutory tour members, NGB/CF will make the final decision on any request for reconsideration.

1.8 Financial Management Office.

*1.8.1 The ANG financial management (FM) office servicing the AGR aviator will receive a spreadsheet from the ACP Coordinator and will verify that the member is receiving flight pay by checking the MMPA to ensure there is an open Aviation Career Incentive Pay (FID 12) entry on the record. If the aviator is not on flying status, FM will notify the servicing Host Aviation Resource Management (HARM) to correct the aviator's status prior to the unit ACP coordinator forwarding the spreadsheet to ANG/DPDF for processing or request a copy of the aeronautical order (AO) from the HARM and forward a copy of the AO to the Active Duty Financial Services Office (FSO) as the source document for processing the 1201 (to start flight pay). The Active Duty FSO must process the 1201. Once the 1201 is posted and verified, the ANG payroll office forwards the contract and updated spreadsheet to the unit ACP coordinator who will forward to ANG/DPDF, via the case management system (CMS), for review and approval.

1.8.2 For statutory tour aviators, ANG/OMH will forward required information on ACP eligible members to DFAS-DE via CMS for initial and subsequent payments.

1.8.3 Notify DFAS-DE when statutory tour aviators are no longer entitled to ACP.

1.9 DFAS-DE

1.9.1 Upon receipt of a spreadsheet with the certification statement from ANG/DPDF for AGR members, DFAS-DE will process a transaction to pay the member.

1.9.2 Upon receipt of a spreadsheet with the certification statement from ANG/OMH for statutory tour members, DFAS-DE will process a transaction to pay the member.

PROGRAM ELEMENTS

2.1 Eligibility. ANG/DP publishes eligibility criteria. Each aviator must:

*2.1.1 Be initially entitled to aviation career incentive pay (ACIP) under Title 37 U.S.C. Section 301a.

2.1.2 Be in a grade below brigadier general and assigned to a full time AGR UMD or Statutory Tour Title 10 position.

2.1.3 Qualify for operational flying duty.

*2.1.4 Have no more than 25 years of total aviation service as a pilot or 20 years of total aviation service as an air battle manager.

*2.1.5 Have completed at least 10 years of service as a pilot following graduation from Undergraduate Pilot Training (UPT), Specialized Undergraduate Pilot Training (SUPT), Joint Specialized Undergraduate Pilot Training (JSUPT), Fixed Wing Qualification, Undergraduate Pilot Training-Helicopter (UPT-H), or Euro-North Atlantic Treaty Organization Joint Jet Pilot Training (ENJJPT). Air battle managers must have served at least 6 years of service as an ABM following E-8 Airborne Battle Manager Qualification/Requalification/Transition Training.

NOTE: No other service commitment affects ACP eligibility.

2.1.6 Serve in a critical aviation specialty designated annually by the Secretary of the Air Force (SECAF) and approved by the Secretary of Defense.

*2.1.7 Only eligible at the beginning of an AGR or Statutory Tour or at the completion of a current ACP contract.

2.1.8 Meet any additional eligibility criteria in the current year's implementation plan as may be announced by ANG/DP. See the definition of eligibility and effective dates in Attachment 1.

***2.2 ACP Service Commitment.** ANG/OM (for statutory tour officers) or the Military Personnel Flight (MPF) insure ANG aviators approved for ACP incur a service commitment commensurate with the years of ACP covered by the ACP agreement. ACP service commitments cannot be waived without approval of ANG/CF, unless the aviator is involuntarily removed from the AGR/statutory tour program.

2.2.1 When an aviator's ACP is suspended or terminated, the aviator's service commitment will not be automatically shortened or relieved. Aviators whose ACP eligibility is suspended or terminated may request a change to the ACP service commitment in writing through their chain of command.

2.2.2 Commitment incurred from ACP does not guarantee that an aviator will remain in AGR/statutory tour status if involuntarily separation is appropriate IAW AFI 36-3209, *Separation and Retirement Procedures for Air National Guard and Air Force Reserve Members*, or ANGI 36-101, *The Active Guard/Reserve Program*.

2.2.3 Aviators transferring from AGR to statutory tour or vice versa will be allowed to fulfill their remaining ACP service commitment in the new position with the concurrence of the gaining organization (The Adjutant General or NGB/CF).

***2.3 Payment Schedules.** Table 2.1 shows pilot ACP payment rates and Table 2.2 shows ABM ACP payment rates.

***Table 2.1 Annual Pilot ACP Payment Rates (Note 1).**

R U L E	Aviator with the following aviation service:	Is eligible for an agreement period of:	The total ACP payment amount is paid in annual installments (before tax), pro-rated if necessary, of:
1	15 YAS or less	5 years	5 yr = \$25,000 (Note 2, 4)
2	More than 15 YAS to 20 YAS	5 years or to 20 YAS	5 yr = \$25,000 to 20 YAS = \$15,000 (Note 3, 4)
3	More than 20 YAS to 24 YAS	To 25 YAS	\$15,000 (Note 3)

NOTES:

1. Payments are subject to withholding of applicable federal and state taxes.
- *2. A five-year agreement is the minimum period under this rule.
3. Agreements of less than 5 years are for \$15,000 per year. The minimum agreement period under this rule is 12 months and can only be used to reach 20 or 25 YAS. Aviators who have less than 12 months prior to reaching 25 YAS are not eligible for ACP.
- *4. If you fail to serve the total period of your duty specified in this agreement (5 years), your bonus will be recalculated at \$15,000 versus \$25,000 per year. Any bonus paid in excess of \$15,000 per year will constitute a debt or obligation to be repaid to the United States.
- *5. Temporary tours with a contract length of 1, 2, 3, or 4 years are eligible to receive \$15,000 per year for the length of their temporary tour.

***Table 2.2 Annual ABM ACP Payment Rates (Note 1).**

1	15 YAS or less	5 years	5 yr = \$15,000 (Note 2, 4)
2	More than 15 YAS to 19 YAS	to 20 YAS	= \$10,000/yr (Note 3)

NOTES:

1. Payments are subject to withholding of applicable federal and state taxes.
- *2. A five-year agreement is the minimum period under this rule.
3. Agreements of less than 5 years are for \$10,000 per year. The minimum agreement period under this rule is 12 months and can only be used to reach 20 YAS. Aviators who have less than 12 months prior to reaching 20 YAS are not eligible for ACP.
- *4. If you fail to serve the total period of your duty specified in this agreement (5 years), your bonus will be recalculated at \$10,000 versus \$15,000 per year. Any bonus paid in excess of \$10,000 per year will constitute a debt or obligation to be repaid to the United States.
- *5. Temporary tours with a contract length of 1, 2, 3, or 4 years are eligible to receive \$10,000 per year for the length of their temporary tour.

2.4 Disapproving ACP Applications or Future Payments.

2.4.1 The ACP Coordinator will recommend disapproval for aviators who:

2.4.1.1 Are awaiting an operational flying disqualification resulting from a flying evaluation board.

2.4.1.2 Are awaiting involuntary separation under AFI 36-3209 or ANGI 36-101.

2.4.1.3 Are awaiting or undergoing investigation into military or civil offenses.

2.4.1.4 Have a documented record of substandard duty performance or misconduct.

2.4.1.5 Have a documented record of aviator skills and officer performance that makes them ineffective for rated duty.

2.4.2 If any of the above-listed conditions are later found unjustified, the aviator may reapply or be reinstated for ACP.

2.4.3 Processing a disapproval.

2.4.3.1 The ACP Coordinator will write a memorandum outlining the reason or reasons in paragraph 2.4.1 above. Attach any documentation that substantiates the recommendation for disapproval (FEB, discharge action, etc.).

2.4.3.2 Forward the recommendation and attachments to the approving authority for a decision.

2.4.3.3 Upon disapproval by the approving authority, the ACP Coordinator will have the aviator sign an acknowledgment of receipt of the disapproval.

2.4.3.4 The ACP Coordinator will counsel the aviator that he/she may submit a request for reconsideration of the disapproval within 10 duty days.

2.4.3.5 Upon receipt of a request for reconsideration the ACP Coordinator will forward the request and disapproval package through the wing commander (or equivalent) to The Adjutant General for a final decision. Statutory tour requests for reconsideration are forwarded to NGB/CF for a final decision.

2.4.4 Upon final determination, inform the aviator of the decision in writing. Process approved requests for reconsideration as an approval for ACP in accordance with paragraph 1.6.4.2.

2.5 Terminating, Suspending or Recouping ACP.

2.5.1 The ACP Coordinator will notify the servicing ANG comptroller in writing to terminate further ACP payments when an aviator:

2.5.1.1 Is dismissed or discharged for cause; or disqualified for aviation service for cause in accordance with AFI 11-402, *Aviation and Parachutist Service, Aeronautical Ratings and Badges*. Prior payment is recalculated using the daily prorated method and excess is recouped. No future payments are authorized.

2.5.1.2 Applies and is approved by ANG/DP for voluntary retirement or separation before completing the ACP service commitment. Prior payment is recalculated using the daily-prorated method and excess is recouped IAW 37 USC 301b(g). No future payments are authorized.

2.5.1.3 Is involuntarily separated (not initiated by the member) due to medical grounding, disability separation or retirement; twice non-selected for promotion; or separation due to selective retention under ANGI 36-2606. Prior payment is not recouped. No future payments are authorized.

2.5.1.4 Is promoted to brigadier general. Prior payment is not recouped. No future payments are authorized.

2.5.1.5 Dies within the ACP service commitment time period. Prior payment is not recouped. If the death is determined to be in the line of duty, a lump sum in the total amount of payments

* — Indicates new or revised material.

remaining unpaid under the agreement at the time of death will be included in the final settlement of the officer's military pay account.

2.5.2 Suspend ACP payments when an aviator under an ACP service agreement:

2.5.2.1 Is suspended from aviation service in accordance with AFI 11-402.

2.5.2.2 Is medically disqualified for aviation service.

2.5.3. Recoup any 'unearned' payment as determined from Table 2.1 or 2.2 and/or from the termination date in paragraph 2.5.

2.5.3.1. 'Unearned' payment is defined as the amount of days not served for the year the last payment was applied to, multiplied by the daily rate determined by DFAS for the specific contract amount.

Attachment 1

GLOSSARY

ACP Agreement – The aviator's application for ACP. After the approval authority signs it, it becomes a legal contract. See Attachment 2.

ACP Approval Authority – The Adjutant General for wing commanders or equivalent, wing commander (or equivalent) for other AGR officers or NGB/CF for statutory tour aviators.

ACP Disapproval Authority – The final disapproval authority for the ANG is the Adjutant General or NGB/CF for statutory tour aviators.

ACP Coordinator – The person who counsels ACP eligible aviators and initially recommends approval or disapproval of the aviators' ACP agreement.

Aviation Service – Aviation service applies to all ANG members required to maintain flying skills and perform essential in-flight duties. Policy distinguishes between rated officers, non-rated aircrew members (officer and enlisted), and operational support aviators. Differences regarding qualifications, termination and entitlements show varying degrees of aviation career involvement. Nonetheless, all members must be professionally and physically qualified and on aeronautical orders requiring frequent and regular flight. (See AFI 11-402)

Aviation Service Date (ASD) – An ASD is the date of entry into an aviation career. Only rated officers and undergraduate flying training students are assigned an ASD. Officers enrolled in UFT (UPT, UPT-H, SUNT, or NASA Mission Specialist Training) enter an aviation career on the class starting date in the program flying training (PFT) document. (See AFI 11-402)

Effective Date – The date an ACP agreement begins, that is, the date from which pay amounts are computed. The effective date and eligibility date are the same when an aviator accepts ACP on or before the eligibility date. When an aviator accepts ACP after the eligibility date, the ACP effective date is the date on which the aviator signs the agreement.

Eligibility Date – The date an aviator is first eligible for ACP. ANG rated officers who met all other eligibility criteria use their AGR or Statutory Tour start date (retroactive to 1 October 2004) as their eligibility date, providing their ACP agreements are signed not later than four weeks from date of this memorandum.

Eligibility Roster – Names, payment amounts, eligibility dates, and related information.

Service Commitment for ACP – The new service commitment an ANG aviator incurs upon entering into an ACP agreement. This new service commitment requires AGR/statutory tour aviators to remain full-time AGR/statutory tour aviators for the number of years equal to the years of ACP payment, unless relieved sooner by ANG/DP.

Attachment 2

PILOT AVIATOR CONTINUATION PAY (ACP) AGREEMENT

1. Under 37 U.S.C., Section 301b, and in consideration of receiving Aviator Continuation Pay (ACP), I _____ (Name/Rank/SSN) agree to continue as an Active Guard/Reserve (AGR/statutory tour) rated officer through the end date of my ACP agreement service commitment I incur based on my elected option in paragraph 2, below.

2. I understand and agree that the effective date of this agreement is ____ (date) _____. I understand that if my current AGR/statutory tour orders have a termination date earlier than the new service commitment established by this agreement, I shall take action, and cooperate with my MPF or ANG/OM, to have new/extended AGR/statutory tour orders published to fulfill my ACP agreement service commitment. I also realize this agreement is binding from the date of my signature or publication date of my new/amended AGR/statutory tour orders, whichever is later. I have indicated the option I am accepting by initialing the appropriate row in the following chart:

<i>Option</i>	<i>New AGR/Statutory Tour Service Commitment</i>	<i>Initials</i>
Option A (5 Years; note 1)	5 Years	_____
Option B (>15 YAS to 20 YAS)	Thru 20 Years Avn Svc (min 12 mos)	_____
Option C (> 20 YAS to 24 YAS)	Thru 25 Years Avn Svc (min 12 mos)	_____
Option D Temporary Tours	1, 2, 3, or 4 Years	_____

Notes:

1. Available to pilots with 20YAS or less.
2. New AGR/statutory tour service commitment is based on the effective date of the agreement (the date on which the aviator signs the agreement).
3. Payments are based on the effective date of this agreement and the option I selected above. I understand that payments will be made in equal annual installments or prorated as follows:

Option A	\$25,000/Yr	Initials _____
Option B	\$15,000/Yr (less than 5 Yr to 20YAS)	Initials _____
	\$25,000/Yr (5 Yr)	Initials _____
Option C	\$15,000/Yr (prorated)	Initials _____
Option D	\$15,000/Yr	Initials _____

4. I realize my ACP entitlement will stop immediately in the event I:

- a. Attain the grade of brigadier general.
- b. Become permanently disqualified for aviation service due to medical or other reasons
- c. Am no longer entitled to Aviation Career Incentive Pay (ACIP)/Flight Pay
- d. Am dismissed or discharged for cause
- e. Retire or separate for any reason authorized under any provision of law or ANG policy

5. I understand that in the event of any of the following actions, my ACP entitlement will stop and the unearned portion of ACP paid me is considered a debt to the United States Government and will be recouped on a pro rata basis. Prior payment is recalculated using the daily-prorated method and excess recouped IAW 37 USC 301b(g). Furthermore, by law the debt may not be discharged in bankruptcy, except as provided by Title 37 U.S.C., Section 301 b(g)(3); the unearned ACP may be recouped as a result of:

* — Indicates new or revised material.

- a. Permanent disqualification from aviation service due to misconduct or willful neglect
- b. Dismissal
- c. Discharge for cause
- d. Voluntary retirement or separation prior to completion of the ACP service commitment

6. Should I apply to retire or separate prior to completion of my ACP agreement commitment, approval or disapproval will be made by ANG/DP based on Air National Guard needs and will not be influenced by my offer to repay ACP.

7. Should I fail to serve the total period of my duty specified in this agreement (5 years), my bonus will be recalculated at \$15,000 versus \$25,000 per year. Any bonus paid in excess of \$15,000 will be constituted a debt or obligation to be paid to the United States.

8. I understand that this agreement does not guarantee that I will be allowed to continue serving until I complete the AGR/statutory tour service commitment established under this agreement.

(Date)

(Aviator Signature)

DSN: _____

Wing/CC
Approved / Disapproved

(Date)

(Typed Name and Grade of Approving Officer)

(Signature)

I elect to decline ACP at his time.

(Date)

(Signature)

Member was counseled from the ACP instructional package provided.

(Date)

(Signature ACP Coordinator)

PRIVACY ACT STATEMENT

AUTHORITY: Title 37 U.S.C., Section 301b

PURPOSE: To provide information necessary for the approval authority to determine if applicant meets all requirements for the award of Aviator Bonuses.

ROUTINE USES: For processing activities and approval authority to determine if applicant meets all eligibility requirements for the program. Use of SSN is necessary to make positive identification of the individual and records.

DISCLOSURE IS VOLUNTARY: If the applicant does not provide the information, however, no further action can be taken on the request and all further processing terminates.

Attachment 3

AIR BATTLE MANAGER AVIATOR CONTINUATION PAY (ACP) AGREEMENT

1. Under 37 U.S.C., Section 301b, and in consideration of receiving Aviator Continuation Pay (ACP), I _____ (Name/Rank/SSN) agree to continue as an Active Guard/Reserve (AGR/statutory tour) rated officer through the end date of my ACP agreement service commitment I incur based on my elected option in paragraph 2, below.

2. I understand and agree that the effective date of this agreement is ____ (date) _____. I understand that if my current AGR/statutory tour orders have a termination date earlier than the new service commitment established by this agreement, I shall take action, and cooperate with my MPF or ANG/OM, to have new/extended AGR/statutory tour orders published to fulfill my ACP agreement service commitment. I also realize this agreement is binding from the date of my signature or publication date of my new/amended AGR/statutory tour orders, whichever is later. I have indicated the option I am accepting by initialing the appropriate row in the following chart:

<u>Option</u>	<u>New AGR/Statutory Tour Service Commitment</u>	<u>Initials</u>
Option A (5 Years; note 1)	5 Years	_____
Option B (>15 YAS to 19 YAS)	To 20 yrs Avn Svc (min 12 mos)	_____
Option C Temporary Tours	1, 2, 3, or 4 Years	_____

Notes:

1. Available to air battle managers with 15 YAS or less.
2. New AGR/statutory tour service commitment is based on the effective date of the agreement (the date on which the aviator signs the agreement).
3. Payments are based on the effective date of this agreement and the option I selected above. I understand that payments will be made in equal annual installments or prorated as follows:

Option A	\$15,000/Yr	Initials _____
Option B	\$10,000/Yr	Initials _____
Option C	\$10,000/Yr	Initials _____

4. I realize my ACP entitlement will stop immediately in the event I:

- f. Attain the grade of brigadier general.
- g. Become permanently disqualified for aviation service due to medical or other reasons
- h. Am no longer entitled to Aviation Career Incentive Pay (ACIP)/Flight Pay
- i. Am dismissed or discharged for cause
- j. Retire or separate for any reason authorized under any provision of law or ANG policy

5. I understand that in the event of any of the following actions, my ACP entitlement will stop and the unearned portion of ACP paid me is considered a debt to the United States Government and will be recouped on a pro rata basis. Prior payment is recalculated using the daily-prorated method and excess recouped IAW 37 USC 301b(g). Furthermore, by law the debt may not be discharged in bankruptcy, except as provided by Title 37 U.S.C., Section 301 b(g)(3); the unearned ACP may be recouped as a result of:

- e. Permanent disqualification from aviation service due to misconduct or willful neglect
- f. Dismissal

* — Indicates new or revised material.

- g. Discharge for cause
- h. Voluntary retirement or separation prior to completion of the ACP service commitment

6. Should I apply to retire or separate prior to completion of my ACP agreement commitment, approval or disapproval will be made by ANG/DP based on Air National Guard needs and will not be influenced by my offer to repay ACP.

7. Should I fail to serve the total period of my duty specified in this agreement (5 years), my bonus will be recalculated at \$10,000 versus \$15,000 per year. Any bonus paid in excess of \$10,000 will be constituted a debt or obligation to be paid to the United States.

8. I understand that this agreement does not guarantee that I will be allowed to continue serving until I complete the AGR/statutory tour service commitment established under this agreement.

(Date)

(Aviator Signature)

DSN: _____

Wing/CC
Approved / Disapproved

(Date)

(Typed Name and Grade of Approving Officer)

(Signature)

I elect to decline ACP at his time.

(Date)

(Signature)

Member was counseled from the ACP instructional package provided.

(Date)

(Signature ACP Coordinator)

PRIVACY ACT STATEMENT

AUTHORITY: Title 37 U.S.C., Section 301b

PURPOSE: To provide information necessary for the approval authority to determine if applicant meets all requirements for the award of Aviator Bonuses.

ROUTINE USES: For processing activities and approval authority to determine if applicant meets all eligibility requirements for the program. Use of SSN is necessary to make positive identification of the individual and records.

DISCLOSURE IS VOLUNTARY: If the applicant does not provide the information, however, no further action can be taken on the request and all further processing terminates.

* — Indicates new or revised material.

Attachment 4

FORMAT FOR ELIGIBILITY ROSTER AND QUARTERLY REPORT FROM THE ACP COORDINATOR

The following information is required on the eligibility roster and provided on a quarterly basis from each ACP Coordinator submitted through the State Headquarters (as appropriate) to ANG/DPDF:

1. ACP Coordinator Name, unit, DSN phone number, and e-mail
2. Name of each AGR/Statutory Tour Aviator, SSN, Aviation Service Date, Eligibility Date (can be a future date or blank if currently not eligible), Application Date (or blank if did not apply), ACP Agreement Length (years), ACP Agreement Payment Rate, Approved/Disapproved, Approval/Disapproval Date, AGR/Statutory Tour Order End Date
3. Identify any aviator that has had ACP terminated, suspended or recouped with the reason for the action, amount paid to date and amount being recouped (if any).
4. Specifically identify any additions or deletions to the roster/report. Include the reason for any additions or deletions. This roster becomes the historical document for this program and all names must remain consistent from report to report.